

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

HAMAN, INC.

Plaintiff,

v.

NO. 2:18-CV-01534-KOB

**CHUBB CUSTOM INSURANCE
COMPANY, ET AL.**

Defendant.

**PLAINTIFF HAMAN, LLC'S
DESIGNATION OF EXPERT WITNESSES**

Comes now the Plaintiff and lists the following expert witnesses pursuant to Fed. R. Civ. P. 26(a)(2)(B).

1. Charles "Chuck" Howarth – The Howarth Group, 137 Third Avenue, North, Franklin, Tennessee 37064, telephone (615) 550-5500, facsimile (615) 550-5501.

Mr. Howarth is an insurance consultant, appraiser and adjuster with over thirty-six (36) years of insurance claims experience. He is knowledgeable about the specific damages to the Knights Inn that were caused by both the fire loss and the storm loss. He and Arthur Grandinetti and Sarah Grandinetti performed detailed inspections of the premises at Knights Inn. Mr. Howarth will testify concerning damage assessments made during inspections made by The Howarth Group as they relate to damage, repair costs, replacement costs and actual cash value. Mr. Howarth's curriculum vitae, list of prior expert testimony, valuation of



loss, summary of opinions and hourly rate are attached hereto under Exhibit "A".

Mr. Howarth may also respond to any other testimony provided in his area of expertise, including any testimony that is offered by the Defendant Chubb. The Howarth Group prepared a report of observations of Knights Inn. That report related to the fire loss has been previously produced in this litigation and consists of 225 pages and numerous photos.

The Howarth Group has also prepared a separate wind and roofing damage report dated January 10, 2016, comprising the sum of 52 pages, and numerous photos. That report and photos has also been provided.

Mr. Howarth will base his opinions upon personal inspections and upon inspections of The Howarth Group.

Mr. Howarth has also reviewed the report of Tom Irmiter, Forensic Building Science, Inc., a roofing specialist.

Mr. Howarth is familiar with the reports and photographs provided by the Defendant Chubb.

Mr. Howarth is familiar with the insurance principles and policy terms and conditions and the requirements of good faith. He is particularly familiar with the appraisal process procedures and the policy in question. He is critical of the claims handling and of the appraisal conduct of Chubb and its representatives.

Mr. Howarth has had numerous meetings and interviews with the owner of the Knights Inn.

Mr. Howarth's opinions are based upon his knowledge, skill, expertise, training, education, and review of his firm's work materials, and the work materials of others and any other documents produced or generated in this litigation that were supplied to him. He has been provided with the Bates documents produced by Defendant. Mr. Howarth has not been provided with any deposition testimony in the case because there have been no depositions taken

prior to his designation as an expert.

2. Sarah Grandenetti – Sarah assisted Mr. Howarth with the Knights Inn claim. Her work product is included in the inventory loss estimate. Her curriculum vitae, valuation of loss, list of prior expert testimony and summary of opinions are provided herewith under Exhibit “B”.

3) Tom Irmiter, President Forensic Building Science, Inc., 2168 Juliet Avenue, St. Paul, MN 55105, telephone 651-222-6509.

Mr. Irmiter is a licensed building inspector and appraiser with over forty-three (43) years of experience. He has investigated literally thousands of storm and fire damage claims. He inspected the premises of Knights Inn and made a building damage assessment, listed as an initial report, rendered August 20, 2015. That detailed report has been provided to counsel for Chubb.

Mr. Irmiter will testify concerning the storm claims and the scope of the damage.

Mr. Irmiter may respond to any testimony provided in his area of expertise and any other testimony from any other witness concerning his area of expertise, including his review of opinions concerning the testimony of the Defendant’s representatives.

Mr. Irmiter visited the premises, made his own studies, photographs, calculations, observations and reports. His photographs are attached to his report.

Mr. Irmiter’s opinions are based upon his knowledge, skill, expertise, training, education and actual inspections, inspection reports and work materials of others, and other documents produced and/or generated in this litigation. Mr. Irmiter’s resume, expert testimony list and compensation schedule is attached hereto under Tab “C”.

4. Arthur Grandinetti - Arthur's work product, his evaluation of the losses, is including in The Howarth Group's estimate. He has personal knowledge of the losses and assisted with the evaluations. Those reports are referenced in The Howarth disclosures herein.

5. Plaintiff Haman, LLC reserves the right to call or elicit testimony, by deposition or at trial, from any expert witnesses designated and/or called by Defendant Chubb. Plaintiff Haman, LLC denies, however, that any such "experts" or other witnesses designated by Defendant Chubb are qualified and/or competent to testify as experts, unless and until, their qualifications to render opinions or testimony are established.

6. Plaintiff Haman, LLC reserves the right to amend and/or supplement its designation of expert witnesses pursuant to Fed. R. Civ. P. or pursuant to the Court's order with additional experts and/or opinions upon which the Defendant Chubb designates an expert and provides a report and complies with the Fed. R. Civ. P. and this Court's order and/or deposition testimony. Neither Chuck Howarth or any other Plaintiff experts have been provided with any deposition testimony in the case because there have been no depositions taken prior to this designation as an expert.

DATE: April 30, 2019.

/s/Gary V. Conchin

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CERTIFICATE OF SERVICE

I hereby certify that on the 30th day of April 2019, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the following: Wayne D. Taylor, Michelle A. Sherman, and Mark D. Hess, and I certify that I have e-mailed and mailed by United States Postal Service the document to the following non-CM/ECF participants:

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